

REMARKS

Claims 1-22 are pending in the application. Claims 1, 3 and 4 were rejected under 35 U.S.C. §102(b) as being anticipated by Royer et al. Claims 2, 5 and 6 have been allowed. Claims 7-22 have been added, without new matter. Reconsideration and reexamination of the application in view of the amendments and following remarks is respectfully requested.

Claims 1, 3 and 4 were rejected under 35 U.S.C. §102(b) as being anticipated by Royer. This rejection is respectfully traversed.

The present invention is directed to the accurate positioning of a fader. To ensure the accurate positioning of the fader despite inaccuracies and nonlinearities in the fader, the fader is first calibrated by setting the fader to a plurality of reference positions and obtaining position data for those reference positions. By comparing the position data to predetermined correct position data, a coefficient is computed for each of several position ranges. Thereafter, when target position data is utilized to mechanically move the fader to a desired position, the coefficient corresponding to the range covering the desired position can be used to compute the adjust the target position data so that the fader will accurately be moved to the desired position.

Royer is not at all concerned with correcting inaccuracies and nonlinearities in the fader. Royer is directed to the setting of faders to reference positions and memorizing those positions, and thereafter providing a tactile means for signaling a user when a fader is positioned or is being moved to a location away from one of those memorized reference positions. The memorized positions are simply treated as reference positions, and no attempt is made to calibrate, correct or convert the position data associated with those reference positions. The current position of the fader is then determined relative to the reference positions, and the tactile means merely indicates to the user that the current position of the fader is different from the reference position. In other words, Royer teaches a "relative system" where positions are not necessarily accurate, only "relative." No attempt is made to calibrate, correct or convert the position data associated with the current position of the fader.

Furthermore, the signal provided by the tactile means is "insufficient to give rise to a displacement of this adjustment member" (see, e.g, col. 4 lines 44-45 and 64-66, and col. 5 lines 53-57). The tactile means clearly does not correct the position of the fader or otherwise provide any corrected or converted position data.

Therefore, Royer completely fails to disclose, teach or suggest "a correcting section that corrects the position data outputted from the detection section" as recited in claim 1, or "a converting section that converts the target position data inputted from the system according to the respective reference position data, and outputs the converted target position data" as recited in claim 3.

Furthermore, such teachings are not at all inherent in Royer. As mentioned above, Royer is a "relative system" that only provides tactile indications when a fader is not in a memorized reference position, and is unconcerned about absolute accuracy in the fader position or correcting the fader position. It is up to the user to reposition the fader after sensing from the tactile indication that the fader is not in the memorized location. No corrected or converted position data is ever generated.

Because Royer does not disclose all of the limitations of claims 1 and 3, it is respectfully submitted that the rejection of those claims is traversed. Furthermore, because claim 4 depends from claim 3, the rejection of claim 4 is also traversed for the same reasons provided above with respect to claim 3.

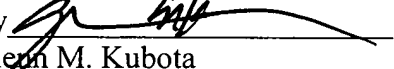
In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

If, for any reason, the Examiner finds the application other than in condition for allowance, Applicants request that the Examiner contact the undersigned attorney at the Los Angeles telephone number (213) 892-5752 to discuss any steps necessary to place the application in condition for allowance.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing Docket No. 393032042100.

Dated: April 20, 2005

Respectfully submitted,

By 
Glenn M. Kubota
Registration No.: 44,197
MORRISON & FOERSTER LLP
555 West Fifth Street, Suite 3500
Los Angeles, California 90013
(213) 892-5200